IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
Civil Application No. 5577/2007
The State of Maharashtra and others vs. Bharat Rajaram Meshram and others.

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| Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders. | Court's or Judge's Orders. |
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**CORAM : A.P. Lavande & R.V.More,JJ**
**DATE : 30.8.2007**

Heard Mr. Jagtap, learned counsel for the appellants and Mr. S.J.Bagde, the learned counsel for the respondents 1,2,4 to 19. The respondent no.3 though served is absent.

By this application, the appellant seeks condonation of delay of one year 284 days in filing letters patent appeal against the order dated 5th September, 2005 passed by learned Single Judge in Writ Petition No. 4492/2005 dismissing the writ petition filed by the appellants against the order passed by the Industrial Court, Bhandara by which the respondent have been regularised on CRTE. The application has been vehemently opposed by the learned counsel for contesting respondents. Since the appeal is against the order dismissing the petition by which services of the respondents have been regularised we deem it appropriate to condone the delay subject to payment of

costs of Rs. 500/- each in favour of the respondents 1,2 and 4 to 19. Mr. Jagtap, learned counsel for the appellants states that costs shall be deposited in this Court within a period of two weeks. If the costs are deposited by the appellants the same shall be recovered by the appellants from the officers/ persons responsible for delay in filing the letters patent appeal. In order to fix liability for delay in filing the letters patent appeal, the Secretary, Law and Judiciary, State of Maharashtra Mumbai either personally or through any officer not below the rank of Joint Secretary shall hold inquiry and fix the responsibility on the concerned persons and recover the same. Enquiry and recovery shall be completed within a period of four months from the date of the receipt of this order by the Law Secretary and necessary compliance report shall be filed within one month thereafter. The application stands disposed of in the aforesaid terms.

C.A.No. 5578/2007

Mr. Jagtap, learned counsel for the appellants seeks leave to amend the application. Leave granted. Amendment to be carried out within one week.

**Judge** **Judge**

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